

**AMENDMENTS TO THE CLAIMS:**

This listing of claims will replace all prior versions, and listings, of claims in the International application:

**Listing of Claims:**

1. (Currently Amended) Functional food containing a physiologically compatible phospholipid-containing stable matrix consisting of (i) a supporting material selected from the group consisting in the form of (un)modified carbohydrates, and (un)modified proteins, hydrophobic materials, such as waxes, triglycerides, lipids, and hydrophobic polymers, ~~[[or]]~~ mineral components, ~~such as silicates~~ and mixtures thereof, and containing (ii)  $\geq 5$  % by weight based on a starting material of acetone-insoluble phospholipid components as a bioactive component.
  
2. (Currently Amended) Functional food as claimed in claim 1, ~~characterized in that it~~ wherein the food is a liquid, solid or semiliquid form ~~of administration.~~
  
3. (Currently Amended) Functional food as claimed in claim 2, ~~characterized in that it~~ wherein the food is selected from the group consisting of a tea, coffee, milk, ~~[[or]]~~ mineral drink, soft drink, power drink, ~~[[or]]~~ energy drink, a vegetable, fruit juice, ~~[[or]]~~ bark juice, ~~[[or]]~~ nectar, liquid spice, elixir, ~~[[or]]~~ tonic, and soft drink or beer.
  
4. (Currently Amended) Functional food as claimed in claim 2, ~~characterized in that it~~ wherein the food is selected from the group consisting of a cereal product, a spice, an extract of a plant ~~plants~~, fruit ~~fruits~~ or bark, a bar, pasta, sweet, slice and ~~[[or]]~~ a soft product ~~such as gummy and foam product.~~

5. (Currently Amended) Functional food as claimed in claim 2, ~~characterized in that it~~ wherein the food is a fermented milk product ~~such as selected from the group consisting of~~ butter, yogurt, cottage cheese, kumis, kefir, ready-to-use sauces, margarine, bread spread ~~[[or]]~~ and creme.
6. (Currently Amended) Specialized food containing a physiologically compatible phospholipid-containing stable matrix consisting of (i) a supporting material ~~in the form selected from the group consisting of~~ (un)modified carbohydrates, ~~and (un)modified proteins~~, hydrophobic materials, ~~such as waxes, triglycerides, lipids and hydrophobic polymers,~~ ~~[[or]]~~ mineral components, ~~such as silicates and mixtures thereof, and containing (ii)~~ > 5 % by weight based on a starting material of acetone-insoluble phospholipid components as a bioactive component.
7. (Currently Amended) Specialized food as claimed in claim 6, ~~characterized in that it is a~~ wherein the food is for tube feeding.
8. (Currently Amended) Food as claimed in claim 1, ~~with~~ wherein the matrix ~~being is in a form selected from the group consisting of~~ pellets, granulates, capsules or microcapsules.
9. (Previously Presented) Food as claimed in claim 6, wherein the matrix contains  $\geq 15\%$  by weight based on the starting material of acetone-insoluble phospholipid components as the bioactive component.
10. (Previously Presented) Food as claimed in claim 9, wherein the matrix contains between 5 and 90 % by weight, based on the starting material of acetone-insoluble phospholipid components.

11. (Currently Amended) Food as claimed in claim 1, wherein the bioactive component in characterized in that the matrix is selected from the group consisting of contains phosphatidyl serine, phosphatidyl choline, phosphatidyl ethanolamine, phosphatidyl inositol, phosphatidyl glycerol, lyso variants thereof, and sphingophospholipids and/or derivatives thereof as acetone-insoluble components; and/or sphingophospholipids in particular sphingomyelin.

12. (Cancelled)

13. (Currently Amended) Food as claimed in claim 1, wherein the carbohydrates are selected from the group consisting of starch, (derivatives); starch esters, starch ethers, mono-monosaccharides, and disaccharides, and their sugar alcohols, glucose syrup, dextrans, and hydrocolloids a hydrocolloid of an alginate, a hydrocolloid of pectin, a hydrocolloid of chitosan, such as alginates, pectins, chitosan and cellulose (derivatives).

14. (Currently Amended) Food as claimed in claim 13, wherein the proteins are selected from the group consisting of plant protein, animal protein, or microbial protein proteins such as zein; gluten; gelatin; casein or whey proteins, single-cell proteins, proteins from algae or texturized proteins or and mixtures thereof.

15. (Previously Presented) Food as claimed in claim 14, wherein the proportion of supporting material is  $\leq 95\%$  by weight based on the total weight of the matrix.

16. (Previously Presented) Food as claimed in claim 15, wherein the total matrix has a diameter between  $1.0\ \mu\text{m}$  and  $5.0\ \text{mm}$ .

17. (Currently Amended) Food as claimed in claim 16, wherein the matrix contains additional bioactive substances selected from the group consisting of such as amino acids, vitamins, polyphenols, carbohydrates, lipids, trace elements, and mineral substances, ~~and suitable derivatives thereof~~;
18. (Currently Amended) Food as claimed in claim ~~17~~ 10, wherein the matrix is spherical or has a lens shape.
19. (Currently Amended) Food as claimed in claim ~~18~~ 10, containing wherein the matrix as includes microcapsules having a ~~preferred~~ diameter between 0.5 and 500  $\mu\text{m}$ .
20. (Currently Amended) Food as claimed in claim ~~20~~ 10, wherein the matrix has liquid contents.
21. (Currently Amended) Food as claimed claim ~~19~~ 10, wherein the matrix develops a delayed release, especially in the gastro-intestinal tract (GI tract)
22. (Cancelled)
23. (Currently Amended) A pharmaceutical preparation for ~~preventing~~ treating elevated serum cholesterol levels and diabetes symptoms, strengthening mental fitness, exercising tolerance and fitness, comprising the food claimed in claim 1.

24. (Currently Amended) Method for ~~preventing~~ treating elevated serum cholesterol levels and diabetes symptoms, for strengthening mental fitness and/or for exercising tolerance and fitness in a subject, comprising:

- a) providing food as claimed in claim 1;
- b) producing a pharmaceutical preparation comprising said food; and
- c) administering an effective amount of said pharmaceutical preparation to said subject.

25. (Previously Presented) Food as claimed in claim 8, wherein the matrix is composed of a coat and a bioactive core.

26. (Previously Presented) Food as claimed in claim 10, wherein the matrix contains between 20 and 80 % by weight based on the starting material of acetone-insoluble phospholipid components.

27. (Previously Presented) Food as claimed in claim 26, wherein the matrix contains between 40 and 70 % by weight based on the starting material of acetone-insoluble phospholipid components.

28. (Previously Presented) Food as claimed in claim 15, wherein the proportion of supporting material is between 30 and 80 % by weight based on the total weight of the matrix.

29. (Previously Presented) Food as claimed in claim 16, wherein the total matrix has a diameter between 0.5 to 2.5 mm, especially in a capsule form.

30. (New) Functional food as claimed in claim 1 wherein the hydrophobic materials are selected from the group consisting of waxes, triglycerides, lipids, and mixtures thereof.
31. (New) Food as claimed in claim 6 wherein the hydrophobic materials are selected from the group consisting of waxes, triglycerides, lipids, and mixtures thereof.
32. (New) Food as claimed in claim 11 wherein the sphingophospholipid is sphingomyelin.
33. (New) Food as claimed in claim 14 wherein the proteins are selected from the group consisting of zein, gluten, gelatin, casein, whey proteins, single cell proteins, proteins from algae, texturized proteins, and mixtures thereof.